



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,606	12/22/2003	Gary Douglas Chapman	GB920020080US1	7562

23550 7590 05/15/2007
HOFFMAN WARNICK & D'ALESSANDRO, LLC
75 STATE STREET
14TH FLOOR
ALBANY, NY 12207

EXAMINER

PANTOLIANO JR, RICHARD

ART UNIT	PAPER NUMBER
----------	--------------

2194

MAIL DATE	DELIVERY MODE
-----------	---------------

05/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/743,606

Applicant(s)

CHAPMAN, GARY DOUGLAS

Examiner

Richard Pantoliano Jr

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

WILLIAM THOMSON

SUPERVISORY PATENT EXAMINER

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on **26 March 2007** has been entered.

Response to Amendment

2. This Office Action is filed in response to amendments filed on **26 March 2007** for Application# **10/743, 606**. **Claims 1, 7, 14, 15** were amended. **Claims 1-15** are currently pending and have been considered below.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. **Claims 1-15** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to

Art Unit: 2194

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5. As per **Claim 1**, Applicant has amended the claim to include the limitation "within a single screen a group of windows comprising". However, Applicant's specification neither explicitly states nor alludes to the number of screens utilized by the disclosed invention. As such, the addition of this limitation constitutes new matter.

6. As per **Claims 2-6 and 14**, being directly dependant on **Claim 1** and either failing to correct the deficiencies of **Claim 1** or containing similar deficiencies to **Claim 1**, these claims are rejected for the same reasoning as applied to **Claim 1** above.

7. As per **Claims 7-13 and 15**, being directed to the system implementing the method of **Claims 1-6 and 14** above and suffering the same deficiencies as **Claims 1-6 and 14**, these claims are rejected for the same reasoning as applied to **Claims 1-6 and 14** above.

Claim Rejections - 35 USC § 102 and 103

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 2194

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. **Claims 1-15** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Hennum (US Pat: 6,259,445), hereafter Hennum.

11. As per **Claim 1**, Hennum discloses the invention substantially as claimed including a method for generating a tutorial application linked to one or more source code elements, the method comprising the steps of:

a) receiving user input indicating one or more source code elements to be selected and one or more data elements to be tagged to one or more selected source code elements (*Col 11, Lines 6-25 and Col 12, Lines 20-35*);

b) tagging one or more selected source code elements with one or more of the data elements (*Col 12, Lines 7 – 12*);

c) generating the tutorial application linked to one or more source code files from said tagged source code elements (*Col 11, Lines 6-11*);

d) displaying the generated tutorial application, the tagged source code elements and the data elements in a display interface (*Col 12, Lines 27-34*),

e) wherein the display interface simultaneously displays within a single screen a group of windows comprising (Figs. 7-16 and Col. 3, lines 1-18) (Windows are displayed both adjacent to one another, as well as overlapping, allowing content to be shown simultaneously. Further, since Hennum identifies Figs. 7-16 as screen shots of the

running application, the application windows must be on the same screen, thereby meeting this claim limitation):

i) a list of tutorial steps contained within the application (Col. 9, lines 10-36) (The steps of the example code associated with the user-selected example are displayed to the user);

ii) a source code window containing a source code element associated with a selected one of the tutorial steps of the list of tutorial steps (Col. 9, lines 10-36) (This window is updated to show the portion of source code being executed at the current step of the example being executed); and

iii) an explanation window containing the one or more data elements associated with the source code element displayed in the code window (Col. 9, lines 10-36).

12. While, as cited above, Hennum states that all of the displayed windows can be displayed on the same screen, Hennum goes on to state that the windows can be displayed on "various screens" (Col. 9, line 19). The terms "screen", "window" and "display" are often used interchangeably in the art and Examiner believes Hennum's use of the term "various screens" to be an instance where "screen" and "window" were used interchangeably.

13. However, if that is not the case, based on the passages and figures cited in the above rejection (Figs. 7-16 and Col. 3, lines 1-18), Hennum impliedly teaches that the disclosed method could be implemented on a single screen. Further, a single-monitor computer system is the defacto standard for single-user computer systems and since

Hennum discusses the use of such a system (Col. 1, lines 1-55 and Fig. 1-3A), using such a computer system with Hennum's disclosed invention would be the likely choice for implementing the disclosed method.

14. One of ordinary skill in the art at the time of invention would have been motivated to do so by the cost advantage of only requiring a single monitor to view the application, rather than adding considerable cost to building and operating a computer system by requiring a user to have multiple monitors.

15. As per **Claim 2**, Hennum discloses wherein the selected source code elements are tagged by a markup language (*Col 12, Lines 7-12*).

16. As per **Claim 3**, Hennum discloses wherein support for one or more programming languages is provided (*Col 5, Lines 60-67*).

17. As per **Claim 4**, Hennum discloses wherein support for one or more execution environments is provided (*Col 5, Lines 50-59*).

18. As per **Claim 5**, Hennum discloses wherein receiving user input further comprises creating one or more tutorial steps (*Col 4, Lines 46-59 and Col 11, Lines 6-11*) (*The "annotations" meet this claim limitation*).

Art Unit: 2194

19. As per **Claim 6**, Hennum discloses wherein the data elements comprise an explanation text for the selected source code elements (*Col 4, Lines 46-59 and Col 11, Lines 6-11*) (*The "annotations" meet this claim limitation*).

20. As per **Claims 7-12**, being directed to the system implementing the method of **Claims 1-6**, respectively, these claims are rejected for the same reasons as **Claims 1-6** above.

21. As per **Claim 13**, being the computer program product loaded into the internal memory of a computer with instructions for implementing the method of **Claim 1**, it is rejected for the same reasons as **Claim 1** above.

22. As per **Claim 14**, this claim is rejected for the same reasons as **Claim 1** above.

23. As per **Claim 15**, this claim is rejected for the same reasons as **Claim 7** above.

Response to Arguments

24. Applicant's arguments with respect to **Claims 1-15** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Pantoliano Jr whose telephone number is (571)


Art Unit: 2194

270-1049. The examiner can normally be reached on Monday-Thursday, 8am - 4 pm EST.

26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

27. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RP
05/08/2007


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER